

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
ILLINOIS EASTERN DIVISION**

*In re Dealer Management Systems Antitrust
Litigation, MDL 2817*

This document relates to:

*Authenticom, Inc. v. CDK Global, LLC et al.,
Case No. 1:18-cv-868 (N.D. Ill.)*

No. 1:18-CV-864

Hon. Robert M. Dow, Jr.

Magistrate Judge Jeffrey T. Gilbert

**STIPULATION REGARDING AMENDMENT OF THE REYNOLDS AND
REYNOLDS COMPANY'S AFFIRMATIVE DEFENSES AND DISCOVERY**

Pursuant to Fed. R. Civ. P. 15(a)(2), it is hereby stipulated and agreed, by and among the parties, through their undersigned counsel, as follows:

1. The Reynolds and Reynolds Company's Answer to Original Complaint, Affirmative Defenses, and Counterclaims (ECF No. 225) is hereby amended to include the following Seventeenth Affirmative Defense:

Without admitting the existence of any of the alleged conduct, Reynolds contends that it is entitled to set off or offset any amounts paid to Authenticom by any Defendants or any alleged co-conspirators other than Reynolds, including CDK, that have settled Authenticom's claims against them in this action. Authenticom's claims are barred in whole or in part to the extent it seeks damages duplicative of the value of consideration it has received or will receive in settlement.

2. Reynolds's First Amended Answer to Authenticom's Original Complaint, Affirmative Defenses, and Counterclaims, reflecting this Seventeenth Defense, and redlined against ECF No. 225, is attached hereto as Exhibit A.

3. Authenticom and Reynolds further agree that neither party will rely on the newly pleaded Seventeenth Defense as a basis to reopen discovery, seek additional briefing, or seek any modification of the current pretrial schedule.

4. Authenticom agrees that if it obtains a verdict against Reynolds in this action, it will promptly, and prior to the entry of any judgment, produce copies of any settlements it has obtained with CDK Global, LLC or any other defendants or alleged co-conspirators of Reynolds related to this action.

STIPULATED AND AGREED:

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*Counsel for Defendant The Reynolds and
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SO ORDERED:

DATED: _____, 2020

Hon. Robert M. Dow, Jr
UNITED STATES DISTRICT COURT JUDGE